

Department of Mental Health and Mental Retardation Office of Deaf Services

Guidance on Procedures for Accessing Funds for Interpreter Services

Delivery of mental health services is dependent on effective communication between the service provider and the consumer. When the consumer is deaf, hard of hearing, or has limited English Proficiency, poor communication becomes a serious and sometimes insurmountable barrier to treatment. The Alabama Department of Mental Health and Mental Retardation, partly in response to the *Bailey* settlement, has established the Office of Deaf Services under the Division of Mental Illness. This Office is responsible for coordinating the delivery of culturally and linguistically appropriate services to the more than 300,000 deaf and hard of hearing citizens of Alabama.

Beginning October 1, 2003 there will be several significant changes in how Community Mental Health Centers can access interpreter services, per the Contract Services Delivery Manual. (For easy reference, relevant sections of the CSDM are attached as appendix 1.) These changes include:

- Delegating authorization and review of interpreter services expenditure to the regional coordinators.
- Changing how interpreter services reimbursement payment vouchers are processed.
- Adjustments in the reimbursement rates paid to the community mental health centers that use sign language interpreters.
- Clarification of allowable and disallowable charges submitted to DMHMR for reimbursement.
- Addition of a provision to allow for a premium or supplemental payment for using qualified signing clinicians.

Contractually, interpreter services are provided per agreement between the community mental health services provider and a provider of interpreter services. DMHMR does not regulate these agreements beyond defining who is eligible to work as a mental health interpreter¹. At this time, DMHMR requires interpreters to be licensed in order to be reimbursed. In certain situations, an interpreter who holds a permit, rather than a license, may be used with prior approval of the Regional Coordinator. CMHCs are solely responsible for payment of invoices from providers of interpreter services. DMHMR reimburses CMHCs for allowable charges per the July 2003 edition of the Contract Services Delivery Manual.

DMHMR has set aside a finite sum of \$59,500 statewide for reimbursement of interpreter services. These funds are allocated to the four specific regions as defined by the Office of Deaf Services regional structure and are available on a first come – first served basis. For your convenience a copy of the regional office and their respective CMHCs is appended to this Guidance. Initial allocations are based on previous years' utilization but will be revised throughout the year as needed.

¹ The State of Alabama requires that anyone working as an interpreter must hold a license or permit from the Alabama Board of Interpreters and Translators. DMHMR takes the position that the use of family members as *ad hoc* interpreters is inconsistent with requirements of this statute. Consult with the Regional Coordinator of Deaf Services for more details.

Delegation of Authorization and Review

Interpreter services must be approved by the Regional Coordinator of Deaf Services or by the Mental Health Interpreter Coordinator, Office of Deaf Services. While it is not the intent of this policy to institute prior authorization, it is advisable for the CMHCs to consult with the Regional Coordinator prior to the provision of services unless there is an emergency.

Reimbursement will only be provided for contract eligible DMHMR consumers for services that have been approved for payment by the Regional Coordinators of Deaf Services or the Office of Deaf Services.

Invoicing DMHMR for interpreter services

After receiving an invoice from the Interpreter services provider and paying said invoice, that CMHC should prepare a payment voucher for reimbursement. The voucher will be sent to the appropriate Regional Coordinator along with required paperwork. Payment vouchers must:

- Indicate the date(s) of service, Rate (according to DMHMR fee schedule), mileage and any other allowable charges, and the total amount invoiced.
- A copy of the original invoice from the interpreter service provider must be attached which shows:
 - Date of service
 - Name of Interpreter
 - Name of Client
 - Actual rate charge by the interpreter
 - Mileage and any other charges
 - Total amount billed

Incomplete invoices will result in a delay or denial of reimbursement. Payment vouchers must be submitted within 45 days of service delivery to the State of Alabama Department of Mental Health and Mental Retardation through Regional Coordinator for the Deaf in the appropriate area of service provision.

The Regional Coordinator will review the payment voucher and attached documentation and if necessary clarify any discrepancies. The Regional Coordinator will then forward the payment voucher to the Office of Deaf Services Mental Health Interpreter Coordinator for final review and processing.

Adjustments in Reimbursement Rates

Beginning this October 1, DMHMR will use the following rate or fee schedule for interpreter services reimbursement.²

Fee Schedule: Reimbursement for Interpreting Services. (Hourly)

Licensed Interpreter holding QMHI ³	\$45
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² These rates are not to be construed as limits on the rates interpreters may charge CMHCs. These rates are simply what DMHMR will reimburse CMHCs. For example, an interpreter who has a qualified mental health interpreter certification may charge the CMHC \$35 an hour for services. The CMHC may, however, with presentation of suitable documentation, submit payment voucher of up to \$45 an hour plus other allowable expenses. Conversely an interpreter who is licensed but not a *qualified mental health interpreter* may charge the CMHC \$40 an hour, but the CMHC will only be reimbursed \$35 an hour.

³ Qualified Mental Health Interpreters are defined in Chapter 580-3-24 of the Code of Alabama. Alabama state law requires that interpreters working in the state must hold either a license or permit. It is DMHMR's positions that, in general, only licensed interpreters may be used with certain exceptions.

Licensed Interpreter	\$35
Permitted Interpreter (NAD 3) ⁴	\$25
Permitted Interpreter (Other)	\$00

All Regional Coordinators will have a current list of interpreters available for mental health assignments in their regions along with the level of licensure/certification the interpreters hold. Additionally, a copy of the most current list of Licensed and Qualified Mental Health Interpreters will be maintained on the Office of Deaf Services website.

Allowable and Disallowable Charges to DMHMR

While it is DMHMR's intention that services be made available to people who need interpreter services, it should be noted that, by Federal law, costs to provide accommodation to people who are deaf/hard of hearing, or have limited English proficiency is a *cost of doing business* that is a normal and expected cost of operating a public accommodation under Title III of the *Americans with Disabilities Act*. Thus, as a legal matter, DMHMR has no obligation to pay for interpreters, any more than there is an obligation that DMHMR pay for the cost of building a wheelchair ramp or renovating a bathroom to comply with *Americans with Disabilities Act* standards. However, it is recognized that CMHCs generally are not well funded and assistance in paying for such accommodation is both an ethically right thing to do, and is simply good business practice.

Funding for services is finite and must be husbanded carefully to ensure that dollars spent go to appropriate purposes. Thus, there are some charges that will not be reimbursed by DMHMR.

Allowable Charges: (refer to *Interpreter Services Invoicing Procedures: Community Mental Health Centers Policy* document for details.)

- Interpreter services (including CDI and Communication Specialists⁵) approved by the Regional Coordinator.
- Mileage for interpreters as approved by the Regional Coordinators
- Services by ASL fluent clinicians. Refer to *Interpreter Services Invoicing Procedures: Community Mental Health Centers Policy*.

Disallowable Charges:

- Portal (or travel time) charges⁶ except in extenuating circumstances. Refer to *Interpreter Services Invoicing Procedures: Community Mental Health Centers Policy*

Consult with Regional Coordinators for Deaf Services or the Office Deaf Services Mental Health Interpreter Coordinator for specifics.

⁴ NAD III (National Association of the Deaf) "*Possesses above average voice-to-sign skills and good sign-to-voice skills, or vice-versa. Demonstrates the minimum competence needed to meet generally accepted interpreter standards. Occasional words or phrases may be deleted, but the expressed concept is accurate. Has good control of the grammar of the second language. Is generally accurate and consistent but is not qualified for all situations.*" (NAD Certified Assessment Levels description of Level III general performance) In mental health settings, a person holding this level of certification may be used in non-critical, non-clinical situations such as group home meetings, supported employment situations, etc.

⁵ Communication Assessments done by Communication Specialists may be billed to the Interpreter Services fund. RCDS are cautioned to use care in selecting who they use for this.

- Any clinical services provided by the Regional Coordinator.
- Any clinical services provided by community contractors except as described in the section on *Supplemental Payment for Using Qualified Signing Clinicians* below.
- Interpreting services provided by regional staff interpreters unless prior approval of the ODS Director has been obtained.
- Services provided by SA or MR providers. These need to be billed to the appropriate division.
- Interpreter services provided in support of a deaf clinician unless the clinician is treating hearing relatives of bona fide DMHMR deaf or hard of hearing consumers in the course of family or systems therapy.
- Per Diem (meals)
- Hotels
- Portal charges not **pre-authorized** by the Regional Coordinator per *Interpreter Services Invoicing Procedures: Community Mental Health Centers Policy*

For further details, consult the attached *Interpreter Services Invoicing Procedures Community Mental Health Centers*

Supplemental Payment for Using Qualified Signing Clinicians

DMHMR strongly believes that consumers are best served when clinicians can communicate in the language the consumer prefers. It is recognized, however, that few clinicians are fluent in American Sign Language and ever fewer are employed by the CMHCs. This creates a situation where it is preferable for CMHCs to enter contracts with ASL fluent clinicians where it is practical. To encourage this, DMHMR has provided for using interpreter services funds as a supplemental reimbursement to help offset the cost of contracting with ASL fluent providers. There are provisions for this in the Contract Services Delivery Manual.

"Services to people who are deaf or hard of hearing may be provided by clinicians who have at least Intermediate Plus⁷ level of fluency in American Sign Language. The regional coordinators will be responsible for maintaining a list of eligible clinicians in their respective region."

Services provided by an employee of the CMHC who meets the criterion above, provided should be billed through normal procedures as for any other clinical service up to the DMHMR allowable rate. It is recognized, however, that clinicians with this specialty may command a higher salary than a clinician who is monolingual. To assist with this DMHMR will allow community providers to bill the interpreter fund a supplemental premium of \$17.00 per hour. This amount is payable in addition to such payment received from DMHMR for the clinical services. Regional Coordinators are responsible for determining the linguistic qualifications of the clinician and CMHCs must consult with the regional coordinator before entering an agreement with such a clinician.

⁶ Some providers of interpreter services will charge for time from when they leave their home or place of business until they return (portal-to-portal or sometimes called travel). It is not a standard practice but it does come up occasionally. There are some places that are so remote that it is difficult to get interpreters there unless portal charges are paid. The Regional Coordinators will work with the CMHCs to determine when portal charges are appropriate.

⁷ This level of fluency is proposed. The Deaf Services Advisory Group has recommended increasing this minimum to no less than Advanced Plus. The suggestion is opposed by the Community Mental Health Center representative. This suggestion is under deliberation.

Community Mental Centers who wish to be reimbursed for services provided by ASL fluent clinician employed by the CMHC, or who have been retained by contract by the CMHC, will follow this procedure:

- Approval will be secured from the Regional Coordinator prior to the use of an ASL fluent clinician. Regional Coordinators will maintain a list of clinicians who are meet linguistic qualifications under this section.
- Community Mental Health Center will report clinical services to the Central Data Repository as per normal procedure.
- A separate payment voucher for supplemental reimbursement will be forwarded to the Regional Coordinator for review and approval and will include:
 - Date of service provision
 - Name of the clinician
 - Name of the consumer
 - Number of hours services provided
 - Any exceptions approved in writing by the Regional Coordinator
- Regional Coordinator signature (initials) of approval for payment

Regional Coordinators will forward approved invoices to the Office of Deaf Services, Mental Health Interpreter Coordinator for review. The MHIC will process invoices for payment per divisional procedures.

Appendix 1

(The following excerpt is from the full CSDM, Pages 52 – 53, Published July 1, 2003)

I. DEAF AND HARD OF HEARING SERVICES (D/HOH Svcs)

I. PURPOSE

To make services described elsewhere in this manual available in a culturally and linguistically appropriate manner to deaf or hard of hearing consumers

II. SERVICES TO BE PROVIDED

- A. Clinical Services for Persons Who Are Deaf/Hard of Hearing
Services to people who are deaf or hard of hearing may be provided by clinicians who have at least Intermediate Plus level of fluency in American Sign Language. The regional coordinators will be responsible for maintaining a list of eligible clinicians in their respective regions.
- B. Contractor may also purchase the services of interpreters to assist in the delivery of mental health services to deaf or hard of hearing consumers. The interpreter, except in cases of emergency as determined by the Regional Deaf Services Coordinator, must hold current Alabama license to practice as an interpreter. It is preferred that said interpreter hold certification as a qualified mental health interpreter.

III. FINANCIAL ARRANGEMENTS

- A. Clinical Services by Clinicians fluent in American Sign Language
Services provided by a qualified clinician as defined in II. A. above will be reimbursed at a premium of \$17.00 per hour payable out of interpreter service funds. This amount is payable in addition to such payment received for the clinical services provided for services approved by the regional coordinators of deaf services.
- B. Interpreter Services for Persons Who Are Deaf or Hard of Hearing
\$35 per hour plus DMH/MR mileage to qualified interpreters for services approved by the regional coordinators of deaf services.
- C. Payment will be made upon presentation of a voucher identifying the recipient of services, the date, time, and type of service provided, and the number of miles claimed for travel. When the Regional Coordinator of Deaf Service is in place, the voucher must be approved by the Regional Coordinator before submission to the Department. In areas where the Regional Coordinator position is vacant, the voucher must be approved by the State Coordinator of Deaf Services. Consultation with the State/Regional Coordinator prior to engaging the services of an interpreter is strongly encouraged to assure delivery of reimbursable services.

DMH/MR shall make available \$59,500 for Deaf and Hard of Hearing Services. Such services shall be provided as delineated in the Contract Service Delivery manual. Contractor understands and agrees that the amount delineated in the MI-1A for Deaf and Hard of Hearing Services is an estimated amount. Actual payment may vary according to actual services provided up to the statewide maximum amount of \$59,500 used for all providers.

Appendix 2
Regional Coordinators of Deaf Services with Areas of Responsibility

<p>REGION 1: Huntsville To Hired This Fall Contact Director, DMHMR Office of Deaf Services 100 North Union Street Montgomery, Alabama 36130 334.242.3642 Voice 334.353.4701 TTY shamerdinger@mh.state.al.us</p> <p>Colbert County Jackson County Franklin County Marshall County Lauderdale County Cherokee County Lawrence County DeKalb County Limestone County Etowah County Morgan County Pike County Madison County Calhoun County Cleburne County</p>	<p>REGION 2: Birmingham Shannon Reese, Birmingham JBS Mental Health Authority 940 Montclair Road, Suite 200 Birmingham, AL 35213 (205) 95 4555 (Voice) (205) 599 9913 (TTY) sreese@jbsmha.com</p> <p>Blount County Choctaw County Jefferson County Greene County St. Clair County Hale County Marengo County Clay County Sumter County Coosa County Cullman County Randolph County Fayette County Talladega County Lamar County Chilton County Marion County Shelby County Walker County Winston County</p>
<p>REGION 3: Montgomery To Hired This Fall Contact Director, DMHMR Office of Deaf Services 100 North Union Street Montgomery, Alabama 36130 334.242.3642 Voice 334.353.4701 TTY shamerdinger@mh.state.al.us</p> <p>Autauga County Dallas County Elmore County Perry County Lowndes County Wilcox County Montgomery County Bibb County Bullock County Pickens County Chambers County Tuscaloosa County Lee County Barbour County Macon County Dale County Russell County Geneva County Tallapoosa County Henry County Houston County</p>	<p>REGION 4: Mobile Irvine Stewart, Mobile Mental Health Center 2400 Gordon Smith Drive, Room 108 Mobile, Alabama 36695 (251) 451-5963 (Voice) istewart@mobilementalhealth.com</p> <p>Mobile County Butler County Washington County Coffee County Covington County Clarke County Crenshaw County Conecuh County Escambia County Monroe County Baldwin County</p>